AO 440 (Rev. 03/08) Civil Summons

UNITED STATES DISTRICT COURT

ADA

for the

Northern District of California

CARLOS H. PEREZ	E-FILING		
Plaintiff)	-111G	
v.) Civil Action No.		
GMAC MORTGAGE USA CORPORATION, et al.)		
Defendant	\rightarrow $C \cap Q$	07070	

Summons in a Civil Action

01372 HRL

To: EXECUTIVE TRUSTEE SERVICES, LLC

(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Fred W. Schwinn Consumer Law Center, Inc. 12 South First Street, Suite 1014 San Jose, California 95113-2418

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

APR 1 5 2008

Date:

Name of alark of courts

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(4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on

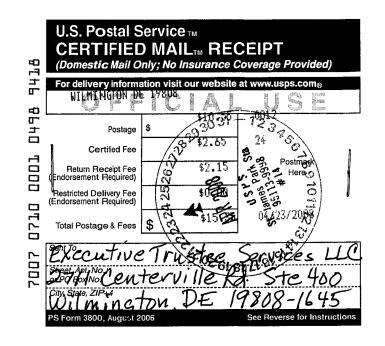
I attach a declaration of diligence stating actions taken first to attempt personal service.

from (city):

or a declaration of mailing is attached.

Filed 05/07/2008 Case 5:08-cv-01972-JW Document 22 Page 3 of 4 PLAINTIFF/PETITIONER: CARLOS H. PEREZ C08-01972-HRL DEFENDANT/RESPONDENT: GMAC MORTGAGE USA CORPORATION c. X by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid, from (city): San Jose, California (1) on (date): April 23, 2008 (2) (3) with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30.) (4) X to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.) d. by other means (specify means of service and authorizing code section): Additional page describing service is attached. The "Notice to the Person Served" (on the summons) was completed as follows: as an individual defendant. as the person sued under the fictitious name of (specify): as occupant. On behalf of (specify): under the following Code of Civil Procedure section: 415.95 (business organization, form unknown) 416.10 (corporation) 416.60 (minor) 416.20 (defunct corporation) 416.30 (joint stock company/association) 416.70 (ward or conservatee) 416.90 (authorized person) 416.40 (association or partnership) 416.50 (public entity) 415.46 (occupant) other: Person who served papers a. Name: Fred W. Schwinn b. Address: 12 South First Street, Suite 1014, San Jose, CA 95113-2418 Telephone number: (408) 294-6100 d. The fee for service was: \$ I am: (1) not a registered California process server. (2) X exempt from registration under Business and Professions Code section 22350(b). (3) registered California process server: owner employee independent contractor. (i) (ii) Registration No.: (iii) County: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I am a California sheriff or marshal and I certify that the foregoing is true and correct. M Date: May 7, 2008 Fred W. Schwinn (SBN 225575) (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL) (SIGNATURE)

C08-01972-HRL



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you.	A. Signature X Agent Addressee
Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Delivery
Article Addressed to:	D. Is delivery address different than it is 1? If YES, enter delivery address below: No
Executive Trustee Service	s, (s) 2
Go Corporation Service	
// **	3. Service Type O
JIII CENTERVINE RA. STES	Certified Mail C Express Mail Registered Receipt for Merchandise
2711 Centerville Rd. Stet Wilmington, DE 19808-1645	4. Restricted Delivery? (Extra Fee)
2. Article Number	0 0001 0498 9418
PS Form 3811, February 2004 Domestic Retu	urn Receipt 102595-02-M-1540

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, not line numbers):

This page may be used with any Judicial Council form or any other paper filed with the court.

Page